



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

NANCY A. MALOLEY, Commissioner

February 3, 1988

105 South Meridian Street
P.O. Box 6015
Indianapolis 46206-6015
Telephone 317-232-8603

VIA CERTIFIED MAIL P 652 579 492

Mr. Homer Hine, Chief Chemist
Environmental Services
RSR Corporation
1111 West Mockingbird Lane
Dallas, Texas 75247

Re: NPDES Permit No. IN 0053171
Quemetco, Inc.
Indianapolis, Indiana

Dear Mr. Hine:

Your application for a National Pollutant Discharge Elimination System (NPDES) Permit for authorization to discharge into Julia Creek has been processed in accordance with Sections 402 and 405 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), and the Indiana Environmental Management Act as amended (IC 13-7). The enclosed NPDES Permit covers your facility which recycles batteries. All discharges from this facility shall be consistent with the terms and conditions of this permit.

Several changes have been made in the final permit as a result of your comment letter of December 1, 1987. These changes, along with responses to your comments are contained in the Post Public Notice Addendum to the Fact Sheet, accompanying the enclosed final permit.

One condition of your permit requires monthly reporting of several effluent parameters. Reporting is to be done on the enclosed discharge monitoring report form. We have included enough forms to establish a supply for approximately four months of reporting. You should duplicate this form as needed for further reporting. You will also be receiving a supply of the computer generated preprinted federal NPDES DMR forms in the near future. Both the state and federal forms need to be completed and submitted on a monthly basis. If you do not receive the preprinted DMR forms in a timely manner, please call this office at 317/232-8808.


Another condition which needs to be clearly understood concerns violation of the effluent limitations in the permit. Exceeding the limitations constitutes a violation of the permit and may subject the permittee to criminal or civil penalties. (See Part II A.2.) It is therefore urged that your office and treatment operator understand this part of the permit.

Mr. Homer Hine
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It should also be noted that any appeal must be filed under procedures outlined in IC 13-7-10-2.5 and the enclosed Public Notice. The appeal must be initiated by filing with the Commissioner of the Department of Environmental Management a request for an adjudicatory hearing within 15 days of receipt of this letter. Please send a copy of any written appeal to me at the above address.

If you have any questions, please contact Mr. Mark Stanifer at 317/232-8704.

Sincerely,


Charles B. Bardonner
Assistant Commissioner
Office of Water Management

MWS/bt

Enclosures

cc: Chief, Permit Section
U.S. EPA, Region V
Marion County Health Department

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended by P.L. 92-500 and P.L. 95-217 (33 U.S.C. 1251 et seq., the "Act"), and the Indiana Environmental Management Act, as amended (IC 13-7),

QUEMETCO, INC.

is authorized to discharge from a plant which produces lead, lead alloys and polypropylene chips by recycling lead-acid batteries and is located at 900 Quemetco Drive (7870 West Morris Street), Indianapolis, Indiana, to receiving waters named Julia Creek in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I and II hereof.

The permit shall become effective on March 1, 1988.

This permit and the authorization to discharge shall expire at midnight February 2, 1993. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as are required by the Indiana Department of Environmental Management no later than 180 days prior to the date of expiration.

Signed this 2nd day of February, 1988, for the Indiana Department of Environmental Management.



Charles B. Bardonner
Assistant Commissioner
Office of Water Management

TREATMENT FACILITY CLASSIFICATION

The discharger has a Class C industrial wastewater treatment plant, classified in accordance with 320 IAC 3-10.1, Classification of Water and Wastewater Treatment Plants.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge from Outfall 002. Such discharge shall be limited and monitored by the permittee as specified below:

Discharge Limitations

Effluent Characteristic	kg/day (lbs/day)		Other Limitations		Monitoring Requirement	
	Daily Average	Daily Maximum	Daily Average	Daily Maximum	Measurement Frequency	Sample Type
Flow (MGD)*	--	--	--	--	Daily**	24 Hr. Total
TSS	--	--	--	--	Daily**	24 Hr. Comp.
Oil & Grease	--	--	--	--	Daily**	Grab
Total Recoverable						
Lead	--	--	--	--	Daily**	24 Hr. Comp.
Total Recoverable						
Arsenic	--	--	--	--	Daily**	24 Hr. Comp.
Total Recoverable						
Cadmium	--	--	--	--	Daily**	24 Hr. Comp.
Total Recoverable						
Antimony	--	--	--	--	Daily**	24 Hr. Comp.
Total Recoverable						
Zinc	--	--	--	--	Daily**	24 Hr. Comp.
pH	--	--	--	--	Daily**	Grab

*The permittee is required to notify the Indiana Department of Environmental Management, Office of Water Management, Enforcement Section by telephone prior to any anticipated discharge and in writing within 5-days of such a discharge. Reporting of daily volume and duration of discharge is required.

**During discharge.

Discharge from Outfall 002 is limited solely to roof and surface runoff water present in amounts in excess of a 10-year, 24-hour precipitation event for the Indianapolis area, as established by the National Climactic Center, National Oceanic and Atmospheric Administration. The permittee may only discharge impounded storm runoff in excess of the 10-year, 24-hour precipitation event, in accordance with the monitoring requirements in the above table. The permittee is required to maintain and operate their wastewater

treatment unit such that any and all precipitation runoff present in quantities of less than or equal to a 10-year, 24-hour precipitation event is collected, treated, and discharged to the Indianapolis sanitary sewer. It is understood that plant site wash down water may also be present in the discharge, because it is impossible to segregate the two wastestreams. No volume of wash down water may be counted as part of the 10-year, 24-hour precipitation event, although the incidental discharge of some wash down water is permitted, when in association with a precipitation event exceeding a 10-year, 24-hour storm event.

Following a precipitation event, water contained in the 800,000 gallon storage tank should be treated and discharged to the sanitary sewer as expeditiously as possible within the design of the treatment unit. The tank shall be maintained empty during dry weather so as to maintain the greatest capacity possible available to capture precipitation runoff.

Because the results of a GC/MS scan were not included with the permit application (due to the lack of recent discharge), the Permittee is required to perform at least one scan to characterize its wastewaters according to the description below:

At least two grab samples for volatile pollutants and either an 8-hour or 24-hour composite sample for acid and base/neutral pollutants shall be obtained. Wastewater samples shall be prepared and analyzed by GC-MS in accordance with U.S. EPA Analytical Methods 624 and 625 (Appendix A to 40 CFR 136); 49 FR 43372-406 (October 26, 1984), as corrected by 50 FR 695-696 (January 4, 1985), or subsequently approved methods.

In addition to the quantitative analysis for the Priority Pollutants, a diligent attempt shall be made to identify and quantify any additional substances indicated to be present in the extracts by peaks on the reconstructed gas chromatograms (total ion plots) more than 10 times higher than the peak-to-peak background noise. Identification shall be by reference to the EPA/NIH computerized library of mass spectra, with visual confirmation by an experienced analyst. Quantification may be an order of magnitude estimate based upon comparison with an internal standard.

- a. The discharge shall not cause excessive foam in the receiving waters. The discharge shall be essentially free of floating and settleable solids.
- b. The discharge shall not contain oil or other substances in amounts sufficient to create a visible film or sheen on the receiving waters.
- c. Samples taken in compliance with the monitoring requirements above shall be taken at a point representative of the discharge but prior to entry into Julia Creek.

B. MONITORING AND REPORTING

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Reporting

The permittee shall submit discharge monitoring reports (DMR-1 Form) to the Indiana Department of Environmental Management containing results obtained during the previous month and shall be postmarked no later than the 28th day of the month following each completed monitoring period. The first report shall be submitted by the 28th day of the month following the month in which the permit becomes effective.

The Regional Administrator may request the permittee to submit monitoring reports to the Environmental Protection Agency if it is deemed necessary to assure compliance of the permit.

3. Definitions

a. Daily Average

- (1) Weight Basis - The "daily average" discharge means the total discharge by weight during a calendar month divided by the number of days in the month that the production or commercial facility was discharging. Where less than daily sampling is required by this permit, the daily average discharge shall be determined by the summation of the measured daily discharges by weight divided by the number of days during the calendar month when the measurements were made.
- (2) Concentration Basis - The "daily average" concentration means the arithmetic average (proportional to flow) of all daily determinations of concentration made during a calendar month. Daily determinations of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the daily determination of concentration shall be the arithmetic average (weighted by flow value) of all the samples collected during the calendar day.

b. "Daily Maximum" Discharge

- (1) Weight Basis - The "daily maximum" discharge means the total discharge by weight during any calendar day.
- (2) Concentration Basis - The "daily maximum" concentration means the daily determination of concentration for any calendar day.

- c. 24-Hour Composite Sample--Consists of at least 3 individual flow-proportioned samples of wastewater which are taken at approximately equally spaced time intervals during a 24-hour period and which are combined prior to analysis.
- d. Concentration--The weight of any given material present in a unit volume of liquid. Unless otherwise indicated in this permit, concentration values shall be expressed in milligrams per liter (mg/l).
- e. The "Regional Administrator" is defined as the Region V Administrator, U.S. EPA, located at 230 South Dearborn Street, Chicago, Illinois 60604.
- f. The "Commissioner" is defined as the Commissioner of the Indiana Department of Environmental Management, which is located at the following address: 105 South Meridian Street, Indianapolis, Indiana 46225.

4. Test Procedures

Test procedures for analysis of pollutants shall conform to regulations published pursuant to Section 304(h) of the Act, the most recent edition of "Standard Methods for the Examination of Water and Wastewater," or other methods approved by the Indiana Department of Environmental Management.

5. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The exact place, date, and time of sampling;
- b. The dates the analyses were performed;
- c. The person(s) who performed the analyses;
- d. The analytical techniques or methods used; and
- e. The results of all required analyses.

6. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Monthly Discharge Monitoring Report. Such increased frequency shall also be indicated.

7. Records Retention

All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed and calibration and maintenance of instrumentation and recording from continuous monitoring instrumentation, shall be retained for a minimum of three (3) years, or longer, if requested by the Regional Administrator or the Indiana Department of Environmental Management.

C. BEST MANAGEMENT PRACTICES PLAN

The permittee is required to develop and implement a Best Management Practices (BMP) plan which develops procedures for the reduction of storm runoff contamination to the lowest practicable level. Specific actions should include, but are not limited to:

1. Storing of all raw materials and waste products inside. To the extent this is not possible, materials stored outside should either be covered or have permanent structure built over them.
2. Regular sweeping, washing and policing of any areas where lead dust or other material may accumulate.

The permittee is required to submit its BMP plan to the IDEM Office of Water Management for approval, within 90 days of the effective date of this permit. A fixed date schedule is to be included in the plan for the completion of any necessary construction or alterations to the facilities.

D. REOPENING CLAUSE

When the U.S. EPA and the State of Indiana finalize a policy regarding the implementation of 40 CFR 122.26, which addresses stormwater discharges, this permit may be modified, after public notice and opportunity for hearing, to incorporate revised limitations for the control of such discharges.

Additionally, the permit may be reopened, after public notice and opportunity for hearing, to include effluent limitations and/or monitoring requirements for any additional pollutants found to be present by the initial GC/MS scan required on Page 3 of this permit.

PART II
STANDARD CONDITIONS FOR NPDES PERMITS
FOR INDUSTRIAL FACILITIES

SECTION A. GENERAL CONDITIONS

1. Duty to Comply

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and the Indiana Environmental Management Act and is grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

2. Penalties for Violations of Permit Conditions

Pursuant to the Indiana Environmental Management Act, any person who violates a permit condition implementing sections 301, 302, 306, 307, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$25,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing sections 301, 302, 306, 307, or 308 of the Clean Water Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than 1 year or both. If the conviction is for a violation committed after a first conviction of such person under this provision, punishment shall be a fine of not more than fifty thousand dollars (\$50,000) per day of violation, or by imprisonment for not more than two (2) years, or both.

Except as provided in permit conditions on "Bypassing," Section B, Paragraph 2 and "Upsets," Section B, Paragraph 3, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with the permit.

4. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause, including, but not limited to, the following:

- a. Violation of any terms or conditions of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

The filing of (i) a request by the permittee for a permit modification, revocation and reissuance, or termination, or (ii) a notification of planned changes or anticipated noncompliance does not stay any permit condition.

5. Duty to Provide Information

The permittee shall furnish to the Commissioner, within a reasonable time, any information which the Commissioner may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Commissioner, upon request, copies of records required to be kept by this permit.

6. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The application should be submitted at least 180 days before the expiration date of this permit. The Commissioner may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date.

7. Transfers

This permit is nontransferable to any person except after notice to the Commissioner pursuant to Regulation 330 IAC 5-2-5(c). The Commissioner may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

8. Toxic Pollutants

Notwithstanding Paragraph A-4, above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Clean Water Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition.

The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act for toxic pollutants injurious to human health within the time provided in the regulations that establish those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

9. Containment Facilities

When cyanide or cyanogen compounds are used in any of the processes at this facility, the permittee shall provide approved facilities for the containment of any losses of these compounds in accordance with the requirements of Water Pollution Control Board Regulation 330 IAC 1-2.

10. Operator Certification

The permittee shall have the waste treatment facilities under the direct supervision of an operator certified by the Commissioner as required by IC 13-1-6.

11. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act.

12. Property Rights

The issuance of this permit does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or an invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

13. Severability

The provisions of this permit are severable and, if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

14. Inspection and Entry

The permittee shall allow the Commissioner, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

15. Construction Permit

The permittee shall not construct, install, or modify any water pollution control facility without a valid construction permit issued by the Indiana Department of Environmental Management pursuant to 330 IAC 3.1.

SECTION B. MANAGEMENT REQUIREMENTS

1. Proper Operation and Maintenance

The permittee shall at all times maintain in good working order and efficiently operate all facilities and systems for wastewater collection and treatment which are installed or used by the permittee and which are necessary for achieving compliance with the terms and conditions of this permit.

2. Bypass of Treatment Facilities

a. Definitions:

- (1) "Bypass" means the intentional diversion of a waste stream from any portion of a treatment facility normally utilized for treatment of the waste stream.
- (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production at the permittee's facility.

b. (Prohibition of Bypass) Bypass which causes or is likely to cause applicable effluent limitations to be exceeded is prohibited unless the following three conditions are met:

- (1) Bypass is unavoidable to prevent loss of life, personal injury or severe property damage;
- (2) There are no feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal period of equipment down-time; and
- (3) The permittee submits notice of an unanticipated bypass to the Commissioner within 24 hours of becoming aware of the bypass (if this information is provided orally, a written submission must be provided within five days). Where the permittee knows or should have known in advance of the need for a bypass, this prior notification shall be submitted for approval to the Commissioner, if possible, at least ten days before the date of the bypass.

c. An anticipated bypass which meets the three criteria of Paragraph b of this subsection may be allowed under conditions determined to be necessary by the Commissioner to minimize any adverse effects.

3. Upset Conditions

- a. Definition: "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- b. (Effect of an upset) An upset shall constitute an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Paragraph c of this subsection are met.
- c. (Conditions necessary for a demonstration of upset) A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, that:
 - (1) An upset occurred and the permittee has identified the specific cause(s) of the upset, if possible;
 - (2) The permitted facility was at the time being operated in compliance with proper operation and maintenance procedures; and
 - (3) The permittee complied with any remedial measures required under Paragraph A.3 of this Part.

4. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed from or resulting from treatment or control of wastewaters shall be managed in a manner such as to prevent any pollutant from such materials from entering navigable waters and to be in compliance with all Indiana statutes and regulations relative to liquid and/or solid waste disposal.

SECTION C. REPORTING REQUIREMENTS

1. Planned Changes in Facility or Discharge

Any anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased discharges of pollutants must be reported by submission of a new NPDES application or, if such changes will not violate the effluent limitations specified in this permit, by advance notice to the permit issuing authority of such changes. Following such notice, the permit may be modified to revise existing pollutant limitations and/or to specify and limit any pollutants not previously limited.

2. Monitoring Reports

Monitoring results shall be reported at the intervals and in the form specified in Part I.B.2.

3. Compliance Schedules

Reports of compliance or noncompliance with interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date. Any reports of noncompliance shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

4. Twenty-Four Hour Reporting

The permittee shall report information on the following types of noncompliance within 24 hours from the time permittee becomes aware of such noncompliance:

- a. Any unanticipated bypass which exceeds any effluent limitation in the permit;
- b. Violation of a maximum daily discharge limitation for any of the pollutants listed by the Commissioner in the permit to be reported within 24 hours; and
- c. Any noncompliance which may pose a significant danger to human health or the environment.

A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected the anticipated time it is expected to continue; and steps taken or planned to reduce and eliminate the noncompliance and prevent its recurrence. The Commissioner may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

5. Other Noncompliance

The permittee shall report any instance of noncompliance not reported under Paragraph 3 or 4 of this Section at the time the pertinent Discharge Monitoring Report is submitted. The report shall contain the information specified in Paragraph 4 of this Section.

6. Other Information

Where the permittee becomes aware that he failed to submit any relevant facts or submitted incorrect information in a permit application or in any report to the Commissioner, the permittee shall promptly submit such facts or corrected information.

7. Changes in Discharge of Toxic Substances

The permittee shall notify the Commissioner as soon as it knows or has reason to believe:

- a. That any activity has occurred or will occur which would result in the discharge of any pollutant identified as toxic, pursuant to Section 307(a) of the Clean Water Act which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
 - (1) One hundred micrograms per liter (100 ug/l);
 - (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
 - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application; or
 - (4) The level established in Part III of the permit by the Commissioner.
- b. That it has begun or expects to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the permit application.

8. Signatory Requirements

- a. All reports required by the permit and other information requested by the Commissioner shall be signed and certified by a person described below or by a duly authorized representative of that person:
 - (1) For a corporation: by a principal executive officer of at least the level of vice-president (including a person who is not a vice-president but performs similar policy-making functions for the corporation);
 - (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
 - (3) For a Federal, State, or local governmental body or an agency or political subdivision thereof: by either a principal executive officer or ranking elected official.
- b. A person is a duly authorized representative only if:
 - (1) The authorization is made in writing by a person described above.

- (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and
 - (3) The authorization is submitted to the Commissioner.
- c. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

9. Availability of Reports

Except for data determined to be confidential under Water Pollution Control Board Regulation 330 IAC 5-1.5, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Indiana Department of Environmental Management and the Regional Administrator. As required by the Clean Water Act, permit applications, permits, and effluent data shall not be considered confidential.

10. Penalties for Falsification of Reports

The Indiana Environmental Management Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

P/Quemetco P10

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
(NPDES) PERMIT PROGRAM

FACT SHEET

for

A Draft NPDES Permit to Discharge into Waters of the State
Proposed to be Issued by the:

Indiana Department of Environmental Management
105 South Meridian Street
Indianapolis, IN 46225

Public Notice No.:

Public Notice Issued on:

Name and Address of Applicant:

Name and Address of Facility
where Discharge Occurs:

Quemetco, Inc.
7870 West Morris Street
Indianapolis, Indiana 46231

Quemetco, Inc.
900 Quemetco Drive
Indianapolis, Indiana 46231

Receiving Water: an unnamed tributary of Julia Creek

Use Classification: The receiving water is classified for aquatic life.

I. Tentative Decision on the Application

The above-named applicant has applied for an NPDES permit to discharge wastewaters into the above-described receiving water. The NPDES permit program is administered by the Indiana Department of Environmental Management pursuant to Sec. 402(b) of the Federal Clean Water Act, as amended, the Indiana Environmental Management Act, as amended (IC 13-7), and Rule 330 IAC 5. The Commissioner has examined the application and has developed a draft permit which is proposed to be issued subject to concurrence of the U.S. Environmental Protection Agency. Principal provisions of the draft permit, including effluent limitations, and other pertinent information, are outlined below.

II. Location of Discharge

A description and/or sketch of the location of the discharge is appended as Attachment I.

III. Description of Existing Discharge

A quantitative description of the existing discharge in terms of significant effluent parameters is appended as Attachment II.

IV. Description of Effluent Limitations and Effluent Limitations Rationale

- A. The effluent limitations in the draft permit as well as monitoring requirements, schedule of compliance, and special conditions are described in Attachment III. Also included is an effluent limitations rationale which provides the basis for each limitation or condition.
- B. The other special conditions in the proposed permit may include, but are not necessarily limited to: monitoring, recording, and reporting discharges; limiting discharges of oil, hazardous substances, collected solids, visible floating solids, foams, and effluent batch discharges; planning for electric power failure and spill prevention and containment; and prohibiting bypass of treatment facilities. Persons wishing further information about the special conditions may contact the Indiana Department of Environmental Management.

V. Procedures for the Formulation of Final Determination

- A. Interested persons are invited to submit written comments upon the proposed discharge. Comments should be submitted in person or by mail no later than 30 days after the date of the public notice was issued for the permit application. Deliver or mail all comments to:

Indiana Department of Environmental Management
Permits Section
Office of Water Management
105 South Meridian Street
Indianapolis, IN 46225

The application and public notice numbers should appear next to the above address on the envelope and on each page of any submitted comments. All comments received no later than 30 days after the public notice is issued will be considered in the formulation of final determinations. The Indiana Department of Environmental Management will issue final determinations in a timely manner after the expiration of the public comment period.

- B. If written comments indicate a significant public interest in the application, the Commissioner of the Indiana Department of Environmental Management shall hold a public hearing on the application. If held, the public hearing will be designed to collect relevant information pertaining to the application in an orderly and expeditious manner. Public notice of a public hearing will be circulated at least 30 days in advance of such event. The public hearing will be held within the State of Indiana. After the public hearing, the Commissioner of the Indiana Department of Environmental Management will formulate her final determination. Further information regarding the conduct and nature of the public hearings concerning discharge permits may be obtained by contacting the Indiana Department of Environmental Management.

Requests for a public hearing should: state the name and address of the person requesting the hearing and of any person represented at the hearing by the requester; identify the interest in the proposed permit of the requester and of any person represented by him; state the reasons for the request; state the issues proposed to be considered at the hearing; and state the position of the requester on the issues to be considered at the hearing.

VI. Staff Contact and Availability of Information

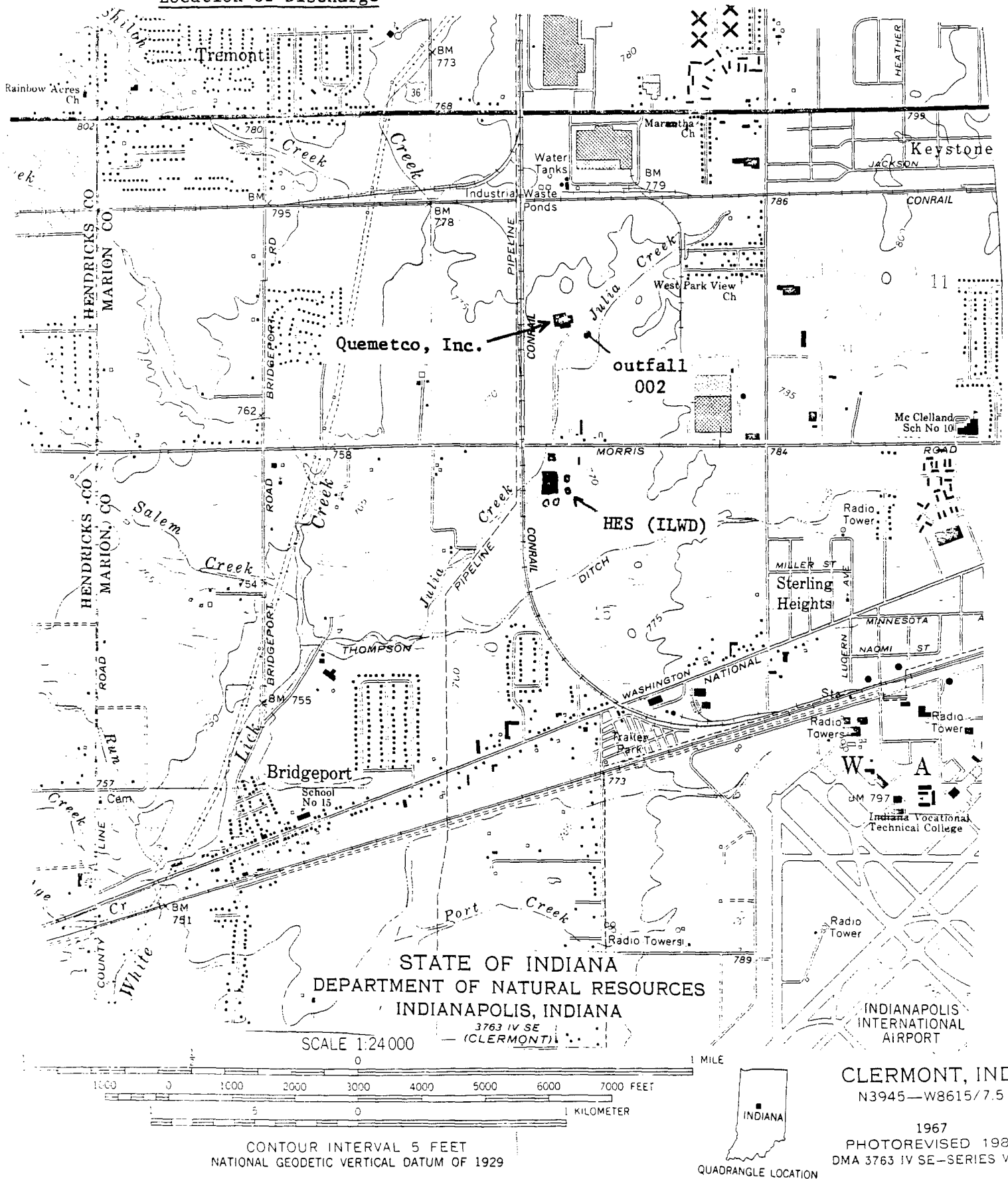
Additional information concerning the draft permit or permit issuance procedures may be obtained between the hours of 8:15 a.m. and 4:45 p.m., Monday through Friday from:

Mark Stanifer at 317-232/8704

Copies of the application, proposed permit including proposed effluent limitations, special conditions, comments received, and other documents are available for inspection and may be copied at a cost of 15 cents per page at the Indiana Department of Environmental Management, Room 740, 105 South Meridian Street, Indianapolis, Indiana.

Attachment I

Location of Discharge



Attachment II

Description of Existing Discharge

Outfall 002

General

Quemetco, Inc., is a lead-acid battery recycler falling under SIC Code 3341, Secondary Lead Smelting and Refining. Plant products include lead, lead alloys and polypropylene chips.

Wastewater generated at this site consists of cooling water, process water and storm runoff water. Process and cooling waters are treated prior to discharge to the Indianapolis sanitary sewer. All stormwater from the plant site is collected by a concrete collection trench surrounding the site, which leads to an 800,000 gallon concrete holding tank. Stormwater is pumped from this tank, treated, and then discharged to the Indianapolis sanitary sewer.

The holding tank is designed to contain an amount of runoff equivalent to a 100-year 24-hour precipitation event (approximately 5.9 inches of rain according to Rainfall Frequency For Indiana, IDNR Division of Water, 1981). After the tank is full, the collection trench can hold approximately an additional 200,000 gallons prior to overflowing. Although any direct discharge is very unlikely, the permittee wishes to maintain an NPDES permit to discharge under such circumstances. The permittee was able to contain and treat the 5-inch rainfall in the Spring of 1987 without having any direct discharge.

The existing wastewater treatment system has two treatment lines, each consisting of wastewater storage, neutralization, carbon tower, multiple ion exchange columns and a common filter unit. One line treats process wastewaters while the other line treats stormwater runoff from the holding tank. The design average flow for the overall treatment system (discharging to the sanitary sewer) is 0.24 MGD (0.12 MGD for each line). A construction permit was issued January 30, 1987, to install a second final filter unit to eliminate the common use of the existing filter unit. Additionally, a three stage precipitation process is to be added to each line prior to the ion exchange columns.

The stormwater containment facility became operational in March 1981, and the treatment plant become fully operational in March 1985, with the most recent addition becoming operational in August, 1986.

Sludge from the treatment plant is recycled into the process feed line. Battery acid is neutralized and treated with the process and cooling waters. Slag from the furnace is not considered a hazardous waste, and is sent to the Danville sanitary landfill.

On April 6, 1987, an Agreed Order was adopted (Cause No. B-668) resolving outstanding compliance issues surrounding this case. Subsequent to the Agreed Order, the attorney for RSR Corp., and its subsidiary Quemetco, Inc., withdrew their request for adjudicatory hearing. The initial request for Adjudicatory Hearing was filed February 18, 1983, contesting certain terms and conditions of the January 19, 1983, NPDES permit.

Although when the 1983 permit was issued, the stormwater collection and treatment system was in place. This wastewater was routinely discharged to the unnamed tributary of Julia Creek. At one time the cooling water was also discharged through Outfall 001, but it was connected to the sanitary sewer in 1977. The permittee's current proposal is to only discharge stormwater in excess of the holding capacity of the collection and containment system. This would require runoff from the equivalent of a precipitation event in excess of a 100-year 24-hour storm event. The discharge would then be to the unnamed tributary of Julia Creek. Both the unnamed tributary and Julia Creek are considered to be $Q_{7,10}$ zero low flow streams. The following is a summary of the most recent discharge information for Outfall 002:

<u>Effluent Parameter</u>	<u>Average lb/day (mg/l)</u>	<u>Maximum lb/day (mg/l)</u>
Flow (MGD)	0.0366	0.142
Oil & Grease	(1.85)	(6.1)
Lead	(0.34)	(0.8)
Cadmium	(.04)	(0.12)
Arsenic	(.017)	(.03)
Iron	(.105)	(.246)
Unionized Ammonia	(0.055)	(.16)
Copper	(0.050)	(0.064)

Data for flow, oil & grease, and lead are from the period of January 1985 through December 1985. Data for cadmium, arsenic, iron, copper and unionized ammonia are from the months of October, November and December, 1985, which are the only data available.

It is important to note here that Quemetco, Inc., began diverting all wastewater to the sanitary sewer in December 1985, and has not had a discharge to the tributary of Julia Creek since that time. Due to the changes in operational mode, the above data may not be representative of future discharge events.

Attachment III

Description of Effluent Limitations and Effluent Limitations RationaleOutfall 002

<u>Effluent Parameter</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Daily Ave.</u>	<u>Maximum Max.</u>	<u>Frequency</u>	<u>Type</u>
Flow (MGD)*	--	--	Daily**	24-Hr. Total
TSS	--	--	Daily**	24-Hr. Comp.
Oil & Grease	--	--	Daily**	Grab
Total Recoverable				
Lead	--	--	Daily**	24-Hr. Comp.
Total Recoverable				
Arsenic	--	--	Daily**	24-Hr. Comp.
Total Recoverable				
Cadmium	--	--	Daily**	24-Hr. Comp.
Total Recoverable				
Antimony	--	--	Daily**	24-Hr. Comp.
Total Recoverable				
Zinc	--	--	Daily**	24-Hr. Comp.
pH	--	--	Daily**	Grab

*Prior verbal notification is required. Written notification is required within 5-days. Reporting of daily volume and duration of discharge is required.

**During discharge.

Discharge from Outfall 002 is limited solely to roof and surface storm runoff water present in amounts in excess of a 100-year, 24-hour precipitation event for the Indianapolis area as established by the National Climactic Center, National Oceanic and Atmospheric Administration. The permittee may only discharge quantities of impounded storm runoff in excess of the 100-year, 24-hour precipitation event, in accordance with the monitoring requirements in the above table. The permittee is required to maintain and operate their stormwater collection, storage and treatment facilities such that any and all precipitation runoff present in quantities less than or equal to a 100-year, 24-hour precipitation event is collected, treated, and discharged to the Indianapolis sanitary sewer.

Following a precipitation event water contained in the 800,000 gallon holding tank and collection trench should be treated and discharged to the sanitary sewer as expeditiously as possible. The tank shall be maintained empty during dry weather so as to keep the greatest capacity possible available to capture precipitation runoff.

Effluent Limitations Rationale

The effluent limitations proposed above represent a major change from the 1983 permit. The 1983 permit allows the discharge of stormwater at any time,

so long as effluent limitations are met. Additionally, effluent limitations do not apply to the discharge of stormwater in excess of a 10-year, 24-hour precipitation event, because presumably this amount of wastewater would be in excess of available treatment capacity. This proposal is to prohibit any direct discharge of stormwater, treated or untreated, except amounts greater than a 100-year, 24-hour precipitation event. Only amounts of stormwater present in excess of this amount can be discharged untreated, and without the application of effluent limitations. Because a larger precipitation event is used, these proposed discharge conditions are more stringent than those in the 1983 permit. However, the permittee is prepared to operate under these conditions. Sampling for a number of pollutants which may reasonably be expected to be present is proposed for such discharges.

The 1983 permit authorized the discharge of cooling water. The August 19, 1987, renewal application did not list cooling water as being present in the discharge, and therefore such discharge is not authorized in this proposal.

While the proposed permissible discharge conditions are significantly different than those in the 1983 permit, they reflect the current operating mode of the plant. The existing stormwater facilities can collect, contain and treat any amount of precipitation runoff up to an event slightly larger than a 100-year, 24-hour storm event.

It is understood that under the conditions of several days of heavy rains or rains associated with snowmelt, an amount of stormwater may be present which exceeds the holding capacity of the treatment system without actually having a 100-year, 24-hour storm event. This is because the stormwater treatment plant can only process 0.125 MGD. If a large rain event filled the containment system, a subsequent second large rain event may overload the system causing a discharge if not enough time has elapsed to treat the contained water. In such cases, a discharge would be allowed. As a safeguard against this happening, the permittee is expected to operate the stormwater treatment plant such that water contained in the holding tank is treated and discharged to the sanitary sewer as soon as possible after a precipitation event. The normal dry weather operating mode of the treatment plant should maintain the holding tank empty so as to have the greatest capacity possible available to capture precipitation runoff.

The effluent parameters to be monitored in the rare case of a discharge are somewhat different than those contained in the 1983 permit. While the process wastewaters generated at this plant are regulated by the Nonferrous, Metals Manufacturing Point Source Category; Effluent Limitations Guidelines...Final Rule, Subpart M (March 8, 1984) (40 CFR 421.130-.133), the permitted discharge (stormwater) is not covered. Therefore, the permit writer must determine which parameters require monitoring.

Although no effluent limitations are proposed to be applied to the discharge, the IDEM believes it is necessary to monitor any discharge to determine the quantities of pollutants present in the discharge. No specific effluent limitations are applied to the permitted discharge, as stated previously, because the only permitted discharge is that volume of untreated precipitation runoff water in excess of the permittee's collection, containment and treatment facilities. The following describes the rationale

for the inclusion of each of the parameters listed in the above table of proposed monitoring requirements, or the exclusion of parameters previously required.

Flow

Flow duration and volume reporting is required of any discharge. This requirement is standard for all NPDES permits.

TSS, Lead, Arsenic, Antimony, Zinc, and pH

These parameters are regulated by the effluent limitation guidelines (ELG) from 40 CFR 421.132 and .133 for discharge of process water. It is therefore reasonable to expect them to be present at the plant site, and therefore to be present to some degree in the runoff water. Antimony and zinc are new requirements.

Oil & Grease

Due to the presence of runoff from paved areas over which there is equipment and vehicular traffic, it is reasonable to expect some presence of oil and grease. The 1983 permit contained limitations for oil and grease.

Cadmium

Monitoring for cadmium was required by the 1983 permit. Sampling reported some presence of this parameter. Therefore, the permit writer believes it necessary to continue monitoring due to the serious concern over cadmium as both a pollutant toxic to aquatic life and as a potential human carcinogen.

Iron and Copper

These parameters have not been included in the draft permit, as was done with the 1983 permit, because sampling results did not indicate them to be present in quantities of concern and because they are not covered by the Effluent Limitations Guidelines (ELG).

Ammonia

Ammonia is not included in this draft because the ELGs regulate it only when used, and Quemetco, Inc., has certified that it is not used at this plant. (Ammonia is used by the industry to desulfonate lead paste.) Sampling required by the 1983 permit did not indicate significant quantities to be present.

Temperature

Temperature monitoring is no longer required because the discharge of cooling water is no longer permitted.

Monitoring Frequency

Daily monitoring of all parameters during discharge is required by this draft for any discharge from Outfall 002. This is considered necessary because the IDEM considers any discharge from this facility to be significant. This requirement is not expected to pose any hardship on the permittee due to the infrequent discharge.

Other Requirements

A best management practices (BMP) requirement is included in the permit as Part I.C. This requirement is similar to that contained in the 1983 permit, and is designed to minimize the amount of contamination contained in site runoff by promoting good housekeeping practices and minimizing the outside exposure of plant products and waste materials. The BMP requirement requires the submission of a written report within 90 days of the effective date of the permit. BMP requirements are authorized by Section 304(e) of the Clean Water Act.

A stormwater reopening clause is included in the permit as Part I.D., in order to allow for revision of the permit to comply with federal stormwater regulations (40 CFR 122.26) (if necessary) upon their implementation.

Name of Permittee

Although the previous permit was issued to "Quemetco, Inc., a subsidiary of RSR Corporation", the NPDES application Form 1 submitted August 19, 1987, listed both the name of facility and the operator as Quemetco, Inc. Therefore, the draft permit lists the permittee as Quemetco, Inc. The IDEM is aware that Quemetco, Inc., is still a subsidiary of RSR Corporation, but does not believe it necessary to include RSR Corporation in the name of the permittee.

Term of Permit

The draft permit is proposed to become effective upon expiration of the 1983 permit, and is proposed for a 5-year term.

Drafted by M. W. Stanifer

Post-Public Notice Addendum and Response to Comments 12/8/87 MWS

The following is a summary of the comments submitted by RSR Corporation on behalf of its subsidiary Quemetco, Inc. It may be helpful for the reader to see RSR's original comment letter of December 1, 1987, with yellow highlighting marking the portions of the permit and fact sheet which are discussed below (attached):

Part A: The Permit

1. RSR requests that the receiving stream be listed as Julia Creek rather than an unnamed tributary to Julia Creek.

Response: After review, it appears that Outfall 001 is directly to Julia Creek, even though the previous permit listed the receiving stream as an unnamed tributary of Julia Creek. Because the request is appropriate, it is granted. This change is made throughout the permit, so additional comments by the permittee on this subject will not be addressed.

2. RSR request their treatment facility be classified as Class C rather than Class D.

Response: Since actual plant flow is less than 200,000 gallons per day, it is appropriate to classify the facility as Class C at this time. If, however, the volume of discharge increases to over 200,000 GPD at any future time, the plant classification would then become Class D.

3. For Pages 2 and 3 of the permit, RSR requests: a) 100-year, 24-hour storm event be replaced by 10-year, 24-hour storm event, b) the discharge not be limited solely to storm runoff, water, (more on this subject in comment 4) c) replace language defining the conditions under which they can discharge with language of their own choosing, d) delete standard requirement prohibiting the discharge of excessive foam and floating or settleable solids, and e) delete standard language prohibiting the discharge of oil in amounts sufficient to create a film or sheen.

Response: a. and b. based on the permittee's comments that this facility was designed and constructed using the criterion of a 10-year, 24-hour storm event, the request to use such an event as the point after which a discharge may occur is granted. It should be noted here, however, the events which led to the use of the 100-year, 24-hour storm event in the draft permit. The renewal application dated August 19, 1987, stated both in the cover letter and on Page 1 of 4 of application form 2C that the discharge consisted entirely of stormwater runoff. As part of the review of the application in preparation of the draft permit, Mr. Mark Stanifer of the DEM, Office of Water Management called Mr. Homer Hine of RSR on September 10, 1987. Mr. Hine stated that the stormwater collection and storage facility as built could contain approximately 1 million gallons of water (800,000 gallons in the storage tank, 200,000 gallons in the collection trench), which is a volume slightly in excess of a 100-year, 24-hour storm event. Mr. Hine failed to point out at that time that the amount of containment space in excess of the 10-year, 24-hour storm event is reserved for plant-site wash down water which is used to keep the yard area free of collected dust and dirt. The intent is to only wash the yard area during dry periods when precipitation runoff is not present, but the excess storage capacity was built in as a legitimate safety factor. It is understood that Quemetco desires to have no discharge whenever practically possible.

RSR and Quemetco's failure to list yard area wash down water as being present was the underlying cause of this confusion. The final permit has been revised to reflect the actual situation.

A review of 40 CFR 421.133 (BAT) would indicate a zero discharge allowance for pollutants from facility wash down operations. It is believed the provisions of the final permit adequately assure compliance with this requirement.

- c. Based on RSR's comments, some revision of the language as contained in the draft permit has been made. The agency, however, cannot justify the deletion of language requiring the permittee to treat and discharge collected stormwater as expeditiously as possible, so as to maintain the greatest capacity possible available to capture precipitation runoff. It is the agency's understanding that the permittee routinely operates in such a manner.
- d. RSR's request to delete the standard prohibition of discharge of excessive foam, floating and settleable solids is denied. This is standard language and is included in all industrial type NPDES Permits issued by the DEM, as it is a requirement of Indiana Water Quality Standards. This requirement is included, verbatim, in the January 1983 permit.
- e. The permittee's request to delete the standard prohibition of discharge of oil in amounts to cause a sheen is denied. Due to the nature of the discharge, the presence of a sheen would indicate a serious spill or other improper release of oil. Under normal conditions, no significant presence of oil would be expected.
- 4. RSR requests deletion of part I.C. 3 (that part of the Best Management Practices Plans prohibiting the discharge of plant wash-down water).

Response: As discussed above in response 3a and b, the draft permit was prepared with the understanding that the only discharge to the collection system was storm runoff. The agency accepts RSRs explanation of the presence of facility wash down waters. Part I.C.3 is deleted, as requested. Additionally, Part I.C.2 has been expanded to include washing as a routine maintenance operation. Language on Page 3 of the permit has been expanded to include wash down water.

- 5. RSR request revisions of Part II.B.4 of the permit to replace the term "disposed of" with "managed" and insert the word "applicable" when referring to Indiana statute and regulation.

Response: Because, as RSR points out, sludges from their "wastewater treatment unit" (i.e., the wastewater collection, storage and treatment plant) are recycled into plant processes, the replacement of the term "disposed of" with "managed" has been made to this boiler plate language. The inclusion of "applicable" in reference to Indiana statutes and regulations is redundant in that the standard wording goes on to say "...all Indiana statutes and regulations relative to liquid and/or solid waste disposal" (underline added for emphasis). RSR's request is denied.

Part B: The Fact Sheet

RSR's extensive comments 6 and 7 relating to the wording of the Fact Sheet are discussed below. It is agency policy that a Fact Sheet, once published is not revised or corrected, in order to maintain a complete record. Instead, a document such as this, entitled "Post-Public Notice Addendum" is attached to the fact sheet, explaining any corrections or changes.

RSRs comments on the Fact Sheet which reiterated their comments on the permit are not discussed below, as they have previously been discussed in the response to comments 1 through 5:

- a. Regarding Page 5 of the Fact Sheet, RSR points out that a 10-year, 24-hour precipitation event is 4.25 inches for the Indianapolis area, as opposed to the 5.9 inches listed for a 100-year, 24-hour precipitation event.
- b. RSR offers several refinements and revisions to the collection, storage and treatment facility description, and offers the following replacement language: "Quemetco's existing wastewater treatment unit consists of a concrete collection trench, clarification sump, 800,000 gallon storm water storage tank, 50,000 gallon process water storage tank, multiple stage hydroxide co-precipitation of metals, filtration, ion exchange polishing if necessary, and treated water storage prior to discharge. The unit includes two multi-stage hydroxide co-precipitation, followed by ion exchange polishing if necessary, followed by filtration, lines which may be operated in either parallel or series. In the series mode the designed flow rate is 200 gallons per minute while in the parallel mode the designed flow rate is 400 gallons per minute.

Quemetco is presently preparing for submittal a permit to construct package which will modify the existing unit to be a single line system with three major stages: (1) Hydroxide precipitation of metals followed by clarification removal of solids, followed by (2) Hydroxide co-precipitation of metals, followed by clarification removal of solids, followed by (3) Oxidized hydroxide precipitation of metals, followed by a polishing sand filter. The existing filters are to be utilized for dewatering the solids which are raw materials in Quemetco's on-site manufacturing process. These changes are being made to upgrade the efficiency of the unit which will retain the capacity to treat 200 gallons per minute (288,000 gallons per day) of either storm water or process water or a combination of both waters."

The meaning of RSR's request to delete the last paragraphs on Page 5 is not understood, because this paragraph specifically identifies the fate of their waste products.

- c. RSR offers the following language as a replacement of parts of paragraph 2 of Page 6 of the Fact Sheet: "The permittee's current proposal and present operating status is to only have a

potential discharge of stormwater in excess of the Department (Stream Board at that time) directed designed storage and treatment rate limit of its wastewater management system. The potential for a discharge thus does not occur until run-off from the equivalent of a precipitation event in excess of a 10-year, 24-hour storm event occurs."

- d. RSR wants clarification on Page 7 that their treatment plant can only treat 114,288 gallons per day from their stormwater holding tank (800,000 gallons/7 days). DEM accepts that statement. They do not, however, state how quickly the tank can be filled. It is assumed, that since the facility is designed to contain a 10-year, 24-hour storm event, the tank can be filled in a 24-hour period or less.
- e. RSR prefers to use the term "wastewater management system" rather than "stormwater collection, storage and treatment facility".
- f. RSR requests deletion of a reference on Page 8 to the terms of the 1983 permit limiting the discharge solely to amounts of stormwater in excess of a 10-year, 24-hour precipitation event.
- g. RSR asks for deletion of the statement "However the permittee is prepared to operate under these operating conditions." As discussed above (on page 11) the statement may be incorrect, but permits section staff believed it was correct after the telephone conversation of September 10, 1987.
- h. RSR wishes to replace the statement "stormwater facilities can collect, contain..." with "wastewater management system has been demonstrated to and was designed to at least collect, store..." and treat precipitation runoff of a specified amount. The agency sees very little difference in the meaning of these two statements.
- i. RSR states that the preferred wording is "storage tank", rather than "containment system".
- j. RSR points out that "as soon as possible" is seven days for a volume of 800,000 gallons.
- k. RSR asked replacement of the statement about operation of the "holding tank empty so as to have the greatest capacity possible available to capture precipitation runoff" with "storage tank in such a manner that runoff from a 10-year, 24-hour storm event can be collected, stored, and treated without a discharge to Julia Creek." Staff agree, this is a more clear statement.
- l. RSR points out that the applicable Effluent Limitations Guidelines for this industry include 40 CFR 421.130-.136 rather than 40 CFR 421.130-.133 as stated, although parts .134-.136 do not apply to the NPDES Permit.

- m. RSR states that language concerning the use of ammonia on Page 9 should be expanded to include its potential use as a neutralizing agent and a kettle scrubber liquor.

In addition to the above, U.S. EPA Region V has requested a provision be added to the permit requiring Quemetco, Inc., to take a one-time effluent sample and provide the results of analysis for volatile, acid and base-neutral fractions on the first occasion of a direct discharge after the effective date of the new permit. The requested provision has been included in the final permit because such data was not provided with the renewal application (since no current data was available). Also at EPA's request, language has been added to allow reopening of the permit after public notice and opportunity for hearing to include effluent limitations and/or monitoring requirements for any additional pollutants found by the initial GC/MS scan to be present in the effluent.

FS/Quemetco P10

MAJOR

NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM (NPDES) PERMIT PROGRAM

PUBLIC NOTICE

Issuance of an NPDES Permit to Discharge
into Waters of the State

Indiana Department of Environmental Management
105 South Meridian Street
Indianapolis, IN 46225
317/232-8760

Public Notice Number: 5I 7668 RI

Public Notice Issued On: February 10, 1988

Permit No.: IN 0053171

Name and Address of Permittee:

Name and Address of Facility
Where Discharge Occurs:

RSR Corporation
1111 Mockingbird Lane
Dallas, Texas 75247

Quemetco, Inc.
900 Quemetco Drive
Indianapolis, Indiana 46231

I. Permit Information

You are hereby notified that the Assistant Commissioner of the Office of Water Management, Indiana Department of Environmental Management issued an NPDES permit on February 2, 1988 to the above-named applicant to discharge wastewaters into Julia Creek in MARION COUNTY, Indiana. The permittee operates a plant which recycles batteries. Plant operations result in the discharge of variable amounts per day of treated stormwater runoff. Parameters to be monitored and/or limited in the discharge include: flow, TSS, oil and grease, lead, arsenic, cadmium, antimony, zinc, and pH, pursuant to applicable State and Federal law. The above-named State waters, into which the discharge is made, are classified for aquatic life in accordance with State water quality standards.

II. Appeal Procedures

Within fifteen (15) days after the date of publication of this notice, any person aggrieved by the issuance of the above-referenced permit may appeal in writing to the Commissioner of the Indiana Department of Environmental Management for an adjudicatory hearing on the question of whether the permit has been issued in accordance with applicable law.

Such a written request for an adjudicatory hearing must:

- (1) state the name and address of the person making the request;
- (2) identify the interest of the person making the request;
- (3) identify any persons represented by the person making the request;
- (4) state with particularity the reasons for the request;

- (5) state with particularity the issues proposed for consideration at the hearing; and
- (6) identify the permit terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing permits of the type granted or denied by the Commissioner's action.

If any person filing such objections desires any part of the permit to be stayed pending the outcome of the appeal, a specific request for such must be included in the request, identifying those parts of the permit to be stayed.

Any such request shall be mailed or delivered to:

Nancy A. Maloley, Commissioner
Indiana Department of Environmental Management
105 South Meridian Street
Indianapolis, IN 46225

III. General Information

Copies of the issued NPDES permit, the permit application, and other related documents are on file and may be inspected at the Indiana Department of Environmental Management, Room 740, Chesapeake Building, 105 South Meridian Street, Indianapolis, Indiana, at any time between 9:00 a.m., and 4:00 p.m., Monday through Friday. Copies of this Public Notice and the proposed permit are also available at the Chesapeake Building. These documents may be copied at a cost of 15¢ per page. A copy of the final permit is also on file with the local health department and is available for public review. Please bring the foregoing to the attention of persons whom you know would be interested in this matter.

PN/RSR PN12